

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Eileen Tozer

Application No.: 10/624,909

Filed: July 21, 2003

Art Unit: 1637

For: Fluorescent Proteins, Nucleic Acids Encoding Them, and Methods for Making and Using Them

Examiner: Angela Marie Bertagne

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NON-FINAL OFFICE ACTION**

Dear Sir:

This is in response to the non-final Office Action ("the OA") mailed on February 20, 2009. A response to this Office Action was initially due May 20, 2009. Accordingly, this Response is timely.

Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 15 of this paper.

The following documents are enclosed herewith:

- Transmittal